

**U.S. Department of the Interior
Bureau of Land Management**

Environmental Assessment

DOI-BLM-NV-S030-2012-0006-EA

PREPARING OFFICE

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**Environmental Assessment:
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S030-2012-0006-EA**

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Chapter 1. Introduction

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1.1. Identifying Information:

The proposed actions is to cover an 400 yard, 3–20 foot deep, 3–50 foot wide trench serving as an illegal landfill which is in trespass on BLM property. This trench is approximately 1 mile northeast of where highway 373 crosses over into California (the Longstreet Inn and Casino is a good landmark) and is immediately south of the Galtar Mine. The pre and post action size of the disturbance area is 9 acres.

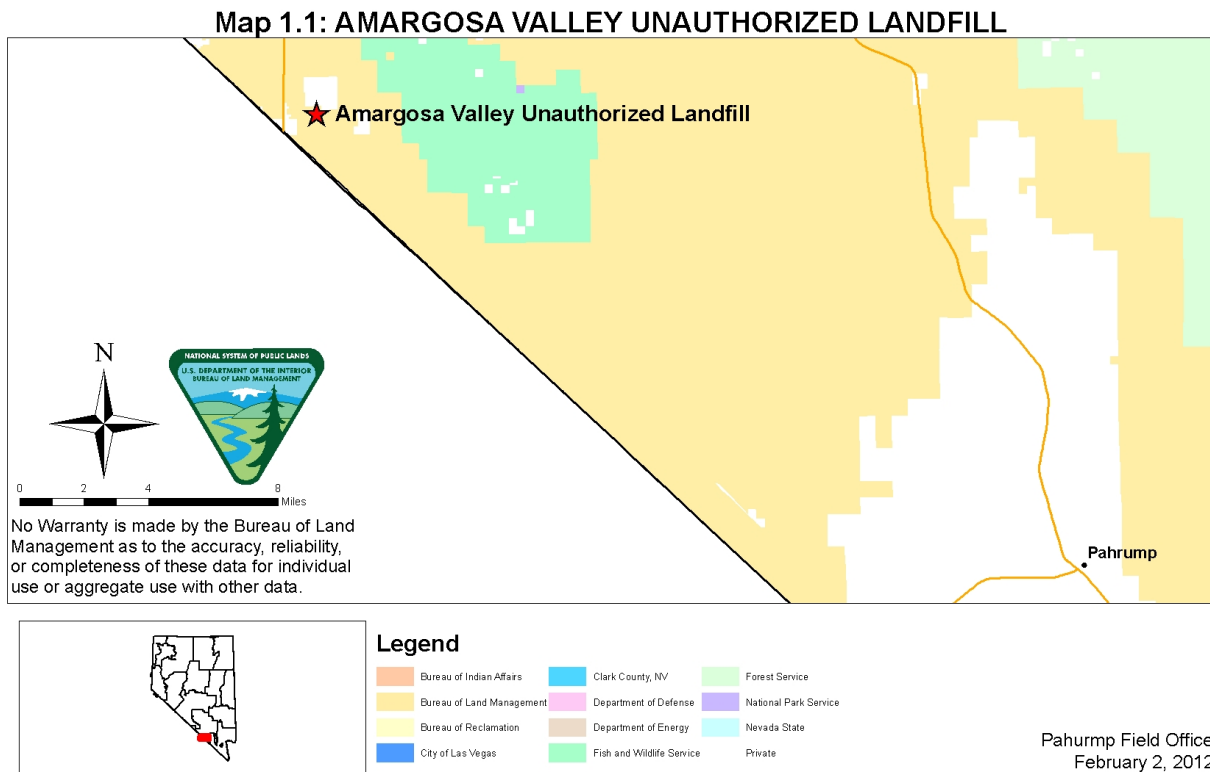
1.1.1. Title, EA number, and type of project:

Covering Amargosa Illegal Landfill

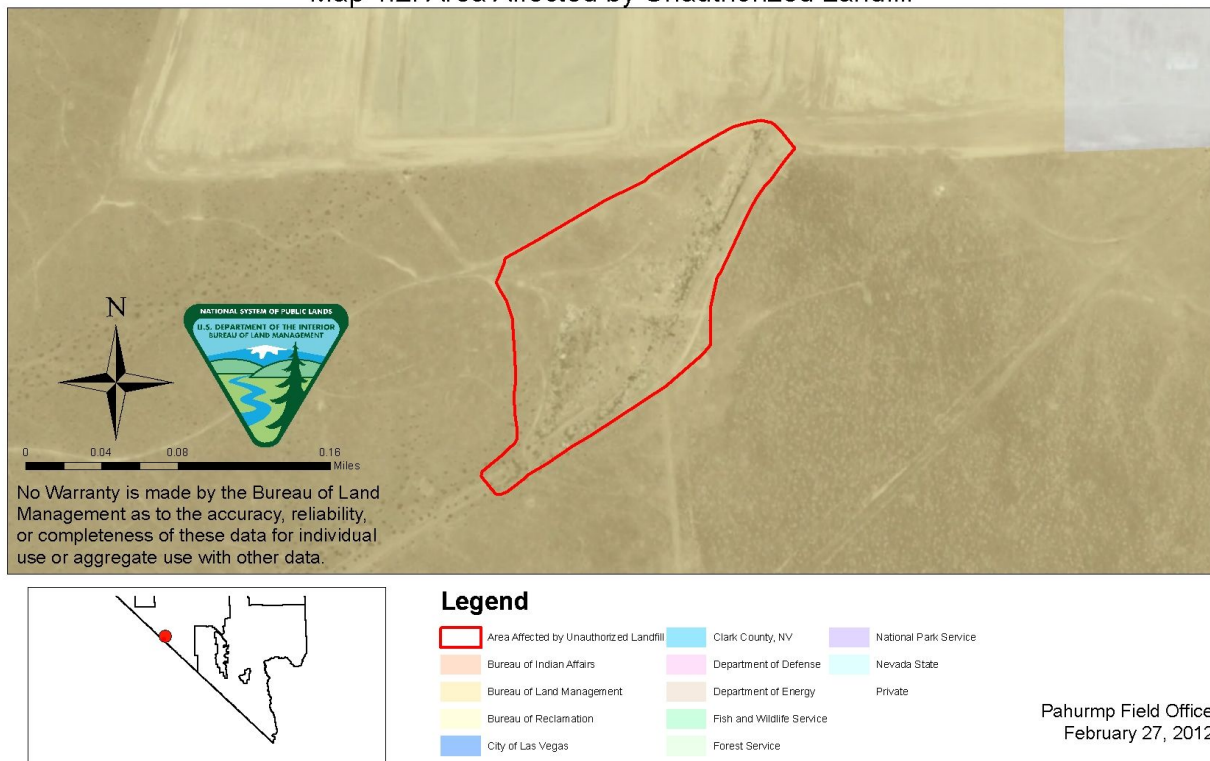
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1.1.2. Location of Proposed Action:

(T. 18 S., R. 49 E., Section 1, Lots 16, 17 & 53), GPS Coordinates X=553387 Y=4030360, approximately 9 Acres



Map 1.2: Area Affected by Unauthorized Landfill



1.1.3. Name and Location of Preparing Office:

Lead Office - Pahrump Field Office, LLNVS03000

1.1.4. Applicant Name:

Bureau of Land Management

1.2. Purpose and Need for Action:

The purpose of this action is to cover an illegal landfill in Amargosa Valley (See Map 1.1 and Map 1.3) using soil from within the disturbed area, leaving the surface area free of illegally dumped trash. This action would deter further illegal dumping at this site. A fence would surround the covered landfill in order to minimize future risks to the public.

The need for this project is to comply with the 1998 BLM Las Vegas Resource Management Plan under vegetation management section VG-2-a, to 'Rehabilitate, reclaim, or revegetate areas subjected to surface-disturbing activities...' as well as with various state regulations regarding the operation of landfills. Compliance is also necessary with Nevada Revised Statute (NRS) 444.630, which prohibits solid waste from illegal dumping to be allowed to accumulate and remain on public land.

Chapter 1 Introduction

Name and Location of Preparing Office:

1.3. Scoping, Public Involvement and Issues:

Internal Scoping:

Internal scoping was conducted by BLM resource specialists to determine the most efficient means to cover the unauthorized landfill. This proposal has been reviewed by Nevada Division of Environmental Protection (NDEP) and resource team members. Their comments and evaluation are included in the EA.

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Chapter 2. Proposed Action and Alternatives

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2.1. Description of the Proposed Action:

The trench in which the trash is being placed was created in trespass by an unknown entity for an unknown purpose. This trench has since been used for many years by the public as a place to dispose of trash and for recreational shooting. NDEP has approved covering the waste as the most economical and most effective way to treat the unauthorized landfill. The largest portion of the waste is concentrated in an approximately 400 yard trench which ranges anywhere from 3–20 feet deep and 3–50 feet wide. A substantial amount of the waste is outside the trench making the area of public land affected by this landfill more than 9 acres. (See Map 1.2) Waste includes, but is not limited to, household garbage, landscape waste and construction debris. The area has been analyzed by the BLM hazardous materials specialist who determined that no hazardous materials are on the proposed site.

The BLM proposes to use heavy equipment to push the illegally dumped debris from the surface of the affected area into the trench and compact the debris in the trench as necessary. After all the debris is in the trench the heavy equipment will be used to scrape the surface soil to a depth of approximately 3 inches, to gather the necessary amount of fill dirt to cover the trench. No new disturbance will be made outside the previously disturbed 9 acre area and any changes to the landscape will repeat the basic elements found in the predominant natural features of the characteristic landscape. The debris in the trench will be covered to a minimum depth of two feet. A water truck will be on site in order to minimize the amount of fugitive dust released and applicable dust permits will be obtained prior to operations. After all operations have been completed the area will be rough graded for vegetation rehabilitation and the soil surface will be stabilized with water.

In the event that the trench would not be able to accommodate the entire debris the existing edges of the trench may be expanded. This expansion would not extend beyond the existing area of disturbance. Heavy equipment includes, but is not limited to, front loaders, backhoes, bull dozers, and any other type of equipment that can move large amounts of debris. If the equipment operators choose to store heavy equipment on site it must be within the 9 acres of previously disturbed areas. Operators will be responsible to remove any waste generated by vehicles and personnel used to perform this clean up. The proposed project would occur during the Desert Tortoise inactive season, November 1st-February 29th.

Once the landfill has been covered, a post and cable fence would possibly be constructed in the vicinity of the trench to prevent public access to the area to minimize physical risks to people recreating nearby and to discourage further illegal dumping. The fence would be built to the specifications outlined in the Environmental Assessment DOI-BLM-NV-S010-2011-0110-EA. Further, signage informing the public as to the nature of the disturbance and the BLM efforts in the area would be posted.

2.2. Description of Alternatives Analyzed in Detail:

Under the No Action Alternative the landfill will remain and illegal dumping and recreational shooting will likely continue much as it has in the past and is presently.

2.3. Alternatives Considered but not Analyzed in Detail

An alternative considered was to remove the waste debris from the affected area. This alternative would have a time line of over 3 months and the cost of dumpsters and heavy equipment alone would have been over 100,000 USD, excluding labor. Due to limitation in funding and the projected time involved, this alternative was considered not feasible and was not analyzed in detail.

2.4. Conformance

The proposed action is in conformance with Federal regulations and BLM policies. This action is in conformance with the 1998 Las Vegas Field Office RMP and Final Environmental Impact Statement.

Date Approved: October 5, 1998

The proposed action is in conformance with the Las Vegas RMP and complies with the following objectives and management directions:

VG-2-a — Rehabilitate, reclaim, or re-vegetate areas subjected to surface-disturbing activities, where feasible. When rehabilitating disturbed areas, manage for optimum species diversity by seeding native species, except where non-native species are appropriate.

AR-1-b — Permit only those activities on BLM-administered lands that are consistent with Federal, State, and local air quality standards and regulations. Require that all appropriate air quality permits are obtained before BLM approval of an action is granted. Where applicable, demonstrate how proposed management actions comply with local, state, tribal and Federal air quality laws, regulations and standards, (Comformity; per 40CFR 93.100 et seq).

Clark County Air Quality Regulations Section 90— Fugitive Dust from Open Areas and Vacant Lots — If open areas and vacant lots are 5,000 square feet or larger and are disturbed by any means, including use by motor vehicles, off-road motor vehicles or material dumping, then the owner/operator of such open areas and vacant lots shall implement one or more of the control measures described in Subsection 90.2.1.1. Subsection 90.2.1.1(a) describes control measures that can include barriers, fences, gates, posts, signs, etc.

Chapter 3. Affected Environment:

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Resource	Not Present	Present/ Not Affected	Present/May be Affected	Rationale
Air Resources		X		The proposed action would not likely affect air quality since the project would require that a dust control permit be obtained.
Areas of Critical Environmental Concern	X			The proposed project area is not within an ACEC or critical desert tortoise habitat.
BLM Natural Areas	X			There are no such designations within the Field Office.
Cultural Resources	X			The BLM Archaeologist conducted a field inspection of the area of potential effect on October 2, 2008 and with subsequent research determined that the domestic trash deposit was likely initiated circa the 1970s and would not be considered an historic property. The area adjacent to the trench is heavily disturbed and covered with trash deposits also. No further cultural evaluation is required.
Greenhouse Gas Emissions		X		The proposed action would not significantly add to greenhouse gas emissions due to the small scale nature of the project.
Environmental Justice		X		While the proposed landfill cover would provide a benefit to the resident of the area as well as all of Amargosa Valley, it would not be to a degree that detailed analysis would be required.
Farmlands (Prime or Unique)	X			There are no prime or unique farmland designations in the District.
Fish and Wildlife Excluding Federally Listed Species		X		The primary direct impact of the proposed action on wildlife would be mortality resulting from construction activities and mortality from subsequent use of the project area. Wildlife species in the general area are common and widely distributed throughout the area and the loss of some individuals and/or their habitat would have a negligible impact on populations of the species throughout the region. Impacts to BLM Sensitive Species are not anticipated to lead to further decline of the species range wide as the project will not result in new surface disturbance.
Floodplains	X			The proposed action does not occur in a floodplain and will not impact downstream flooding.
Fuels/Fire Management		X		The proposed action will not take place during the timeframe for fire restrictions, enacted between May 15th and October 1st, so no further analysis or minimization is required.
Geology / Mineral Resources/Energy Production		X		The proposed action would likely present no conflicts with valid, existing mineral rights in the project area. This will not affect the nearby Lathrop Millsite trespass which the BLM is attempting to resolve.
Hydrologic Conditions		X		The proposed action would likely cause some disturbance but these disturbances should not cause new significant impacts to the Hydrologic Conditions due to the previous disturbances.

Resource	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Invasive Species/ Noxious Weeds		X		Impacts from construction and maintenance from the proposed action may introduce and exacerbate weed populations, with potential spread to adjacent lands. All stipulations and mitigation measures for weed control standard to the Southern Nevada District Office apply.
Lands/Access			X	The proposed action does not impact any pending ROW's or Land Use disposals identified in the 1998 Las Vegas RMP. However, the proposed action of capping on site does impact any future land use disposal actions associated with the affected lands.
Livestock Grazing	X			The proposed action area is not located in any authorized grazing allotments.
Migratory Birds		X		Although there will be no new surface disturbance associated with the proposed action, a site visit conducted by GBI Natural Resource Specialist Katie Kleinick on April 9, 2012 confirmed that portions of the project area, although highly disturbed and degraded may still be utilized by nesting bird species. Typically, the breeding season is when these species are most sensitive to disturbance, which generally occurs from March 1st through August 1st. As proposed, the action will not take place during the breeding bird season and no further analysis or minimization is required for migratory birds.
Native American Religious Concerns	X			There are no religious concerns as this dump has been in use for over 40 years in Amargosa Valley.
Paleontology	X			No fossil strata would be affected by this project.
Rangeland Health Standards	X			The proposed action does not include any additional surface disturbance; therefore there will be no impacts to rangeland health.
Recreation		X		The proposed action would not likely affect recreation in the area to a degree that detailed analysis is required.
Socio-Economics		X		While the proposed landfill cover would provide a benefit to all who reside in the valley, it would not be to a degree that detailed analysis would be required.
Soils		X		The proposed action would likely cause some disturbance but these disturbances should not cause new significant impacts to the local soils due to the previous disturbances.

Resource	Not Present	Present/ Not Affected	Present/May be Affected	Rationale
Threatened, Endangered or Candidate Plant Species	X			The following has been reviewed by BLM Botanist, Fred Edwards: Federally listed plant species are known to occur in the general area. However, the project area is highly disturbed and does not constitute suitable habitat for the species. Therefore, federally listed plant species are not expected to be present in the proposed project area.
Threatened, Endangered or Candidate Animal Species			X	The above action has a may affect determination for the threatened desert tortoise (<i>Gopherus agassizii</i>). This project will have no affect on any other federally listed species or designated critical habitat. Section 7 Consultation for this project is covered under the Programmatic Biological Opinion for Multiple Use Activities (1-5-97-F-251) contingent on compliance with the attached terms and conditions for Area C. A copy of the terms and conditions has been uploaded in ePlanning (Section 7 log number NV-052-12-092).
Wastes (hazardous or solid)	X			Hazardous waste is not present on site so therefore will not be affect the proposed action.
Water Resources/ Quality (drinking/ surface/ground)		X		The proposed action would likely cause some disturbance but these disturbances should not cause new significant impacts to water resources due to the previous disturbances.
Wetlands/Riparian Zones	X			There are no wetlands/riparian zones present in the project area.
Wild and Scenic Rivers	X			Not Present
Wilderness/WSA	X			The proposed action is not located within or adjacent to WSAs, ISAs, or designated Wilderness.
Woodland / Forestry		X		The proposed action is limited to existing roads and disturbed areas so no new impacts to cactus and yucca, acacia trees and other forestry products are expected.
Vegetation Excluding Federally Listed Species		X		The proposed action is restricted to existing roads and disturbed areas so no new impacts to BLM special status plants are expected.
Visual Resources			X	The proposed action is located in VRM class III. The objective of this class is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

Resource	Not Present	Present/ Not Affected	Present/May be Affected	Rationale
Wild Horses and Burros	X			The proposed project is not located in an active herd management area, there will be no impacts to wild horses or burros.
Lands with Wilderness Characteristics	X			The proposed action is located in areas which underwent an initial wilderness inventory and were determined not to meet the elements of wilderness characteristics. This area was not nominated for wilderness characteristics as part of the Las Vegas RMP Revision and therefore the BLM did not consider a re-inventory in this area. The proposed action is in conformance with the existing LUP per FLPMA as it relates to management of LWCs.

Chapter 4. Environmental Effects:

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4.1. Threatened & Endangered Species

4.1.1. Affected Environment

Threatened and endangered species are placed on a Federal list by the U. S. Fish and Wildlife Service (USFWS) and receive protection under the Endangered Species Act of 1973, as amended. The only T&E species known to occur in the vicinity of the project area is the threatened desert tortoise (*Gopherus agassizii*).

In the Mojave region, the desert tortoise occurs primarily on flats and bajadas with soils ranging from sand to sandy-gravel characterized by scattered shrubs and abundant inter-shrub space for herbaceous plant growth. They are also found on rocky terrain and slopes.

A site visit conducted by GBI Natural Resource Specialist Katie Kleinick on April 9, 2012 confirmed that the proposed project area is highly disturbed and degraded and no longer constitutes suitable desert tortoise habitat. The project area is surrounded by large tracts of undisturbed, low density desert tortoise habitat, Area C.

4.1.1.1. Environmental Consequences:

Historical survey data indicates that the area within and surrounding the project sites are in very low density tortoise habitat. Although this project will not create new surface disturbance, it is adjacent to undisturbed, contiguous habitat so there is potential for tortoises to wander into the project area. If not noticed and avoided during maintenance activities, desert tortoises could be either injured or killed (by crushing) or harassed (by being moved out of harm's way). As no new habitat disturbance would occur during this action, desert tortoise clearance surveys are not required. Since tortoises have been found in the vicinity and undisturbed habitat exists on the project sites, there is potential for tortoises to wander into the project area.

The above action has a 'may affect' determination for the threatened desert tortoise (*Gopherus agassizii*). This project will have no affect on any other federally listed species or designated critical habitat. Section 7 Consultation for this project is covered under the Programmatic Biological Opinion for Multiple Use Activities (1-5-97-F-251) contingent on compliance with the attached terms and conditions for Area C.

4.2. Mitigation Measures/Stipulations:

Resource	Mitigation Measures/Stipulations
Air Resources	Ensure a dust control permit is obtained and permit stipulations are in compliance for the duration of the project.
Invasive Species/Noxious Weeds	All vehicles, equipment, and personal gear will be clean and free of vegetation and soil before arrival and departure on site. A copy of the 'Amargosa Noxious Weed Management Plan' which details all invasive species/noxious weed mitigation measures, has been uploaded into eplanning (DOI-BLM-NV-S030-2012-0006-EA).

Resource	Mitigation Measures/Stipulations
Threatened, Endangered or Candidate Animal Species	<p>Compliance with the special stipulations below will help to ensure that the desert tortoise are not affected.</p> <ul style="list-style-type: none"> • A speed limit of 25 miles per hour shall be required for all vehicles travelling on existing roads. • Should a desert tortoise enter the area of activity, all activity shall cease until such time as the animal has left the area of its own accord. • Workers will be instructed to check underneath all vehicles and equipment before moving them as tortoises often take cover underneath parked vehicles.
Visual Resources	<p>The changes that the proposed action would make to the landscape would repeat the basic elements found in the predominant natural features of the characteristic landscape.</p>

Chapter 5. Tribes, Individuals, Organizations, or Agencies Consulted:

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Nevada Division of Environmental Protection (NDEP) was consulted on the projects and has approved covering the waste as the most economical and most effective way to treat the unauthorized landfill.

Amargosa community meetings would be held at a future date to inform the residents of Amargosa Valley of the proposed action and of when the action is completed, reminding residents of other locations that are available to them to properly disposal of their municipal waste.

Table 5.1. List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Art Gravenstein	Supervisor, Solid Waste Branch	NDEP Approval

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Chapter 6. List of Preparers

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Table 6.1. List of Preparers

Name	Title	Responsible for the Following Section(s) of this Document
Chandler, Mark	Reality Specialist	Lands/Access, Visual Resources
Christianson, Lisa	Air Resource Specialist	Air Resources, Greenhouse Gas Emissions
Fanning, Dave	Geologist	Geology/Mineral Resources/Energy Production
Farkas, Susan	Planning and Environmental Coordinator	Environmental Justice, Socio-Economics
Johnson, Krystal	Wild Horse and Burro Specialist	Farmlands (Prime or Unique), Wild horse and Burros
Kalcic, Sendi	Wilderness Specialist	BLM Natural Areas, Wilderness/WSA, Lands with Wilderness Characteristics
Kleinick, Katie (Contractor)	Natural Resources Specialist	Livestock Grazing, Rangeland Health Standards, Threatened Endangered or Candidate Plant Species, Woodland/Forestry, Vegetation Excluding Federally Listed Species
Maril, Greg	Fire Mitigation and Educational Specialist	Fuels/Fire Management
Moran, Mike	Environmental Protection Specialist	Wastes (Hazardous or Solid)
Poff, Boris	Hydrologist	Floodplains, Hydrologic Conditions, Soils, Water Resources (Quality/Drinking/Surface/Ground), Wetland/Riparian Zones
Rhea, Lucas	Fuels Technician	Invasive Species/Noxious Weeds
Sanchez, Marc	Outdoor Recreation Planner	Recreation, Wild and Scenic Rivers
Sanders, Melissa (Contractor)	Desert Clean Up Coordinator	EA Author
Sprowl, Kathleen	Archologist	Cultural Resources, Native American Religious Concerns, Paleontology
Stegmeier, Jessie	Wildlife Biologist	Areas of Critical and Environmental Concern, Fish and Wildlife Excluding Federally Listed Species, Migratory Birds, Threatened Endangered or Candidate Animal Species